



ARK:jsg070903\1901046. SUBAMD-PET

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUL 14 2003

OFFICE OF PETITIONS

In re Application of:

Applicant : Mary Katherine Robinson et al.
Serial No. : 09/250,834
Filed : February 16, 1999
For : CRUNCHY CHEWING GUM
Examiner : Arthur L. Corbin
Art Unit : 1761
Attorney Docket No. : 5079D1-07-LAV

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450

ON July 9, 2003

NAME Jill S. Garretson

SIGNATURE

Jill S. Garretson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

July 9, 2003

SUBMISSION OF AMENDMENT AND PETITION

Dear Sir:

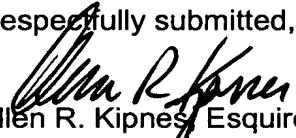
This is in response to the Office Action of September 22, 2002. Applicants have filed concurrently herewith a Petition to Revive the above-identified patent application in view of the issuance of a Notice of Abandonment dated May 1, 2003. Concurrently filed herewith is an amendment to the most recent Office Action which is an Advisory Action dated September 22, 2002. A request for continued examination was timely filed on January 15, 2003 and it is believed that the Petition

ARK:jsg070903\1901046.SUBAMD-PET

to Revive herein will reinstate the present application and facilitate prosecution thereof through the concurrently filed amendment.

If any additional fees are due, they should be charged to Deposit Account No. 23-0510. If any further information is required to revive the present application and gain consideration of the Amendment, the Patent Examiner is invited to telephone the undersigned.

Respectfully submitted,


Allen R. Kipnes, Esquire
Registration No. 28,433
Attorney for Applicant

Address All Correspondence to:
Allen R. Kipnes, Esquire
WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, NJ 08550
(609) 243-0330

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
5079D1-07LAV

In Re Application Of: Mary Robinson et al.

Serial No.
09/250,834

Filing Date
February 16, 1999

Examiner
Arthur L. Corbin

Group Art Unit
1761

Invention:
CRUNCHY CHEWING GUM

RECEIVED
JUL 14 2003
OFFICE OF PETITIONS

Attention: Office of Petitions
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Amendment

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

3. ☐ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

Docket No.
5079D1-07-LAV

JUL 11 2003

Filing Date
February 16, 1999

Examiner
Arthur L. Corbin

Group Art Unit

1761
RECEIVED

CRUNCHY CHEWING GUM

JUL 14 2003

OFFICE OF PETITIONS

Enclosed are the following fees:

- | | | | |
|----------------------|-------------------------------------|---|------------|
| 6. | <input checked="" type="checkbox"/> | Petition fee under 37 CFR 1.17(m) in the amount of: | \$1,300.00 |
| 7. | <input type="checkbox"/> | Fee for amendment in the amount of: | |
| 8. | <input type="checkbox"/> | Fee for extension of time to respond to Office Action in the amount of: | |
| 9. | <input type="checkbox"/> | Issue fee in the amount of: | |
| 10. | <input type="checkbox"/> | Continuing application filing fee in the amount of: | |
| 11. | <input type="checkbox"/> | Terminal disclaimer fee in the amount of: | |
| 12. | <input type="checkbox"/> | | |
| Total fees enclosed: | | | \$1,300.00 |

The fee of **\$1,300** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any *additional* fees which may be required, or credit any overpayment, to Deposit Account No. **23-0510**

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

**Docket No.
5079D1-07-LAV**

In Re Application Of: Mary Robinson et al.

Serial No.
09/250,834

Filing Date
February 16, 1999

Examiner
Arthur L. Corbin

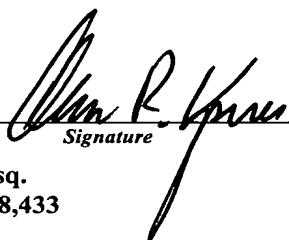
Group Art Unit
1761

Invention:

CRUNCHY CHEWING GUM

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: July 9, 2003

Allen R. Kipnes, Esq.
Registration No. 28,433

WATOV & KIPNES, P.C.
P.O. Box 247
Princeton Junction, New Jersey 08550
(609) 243-0330
(609) 275-1010 - Facsimile

CC:

I certify that this document and fee is being deposited
on July 9, 2003 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Mail Stop Petition, Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Jill S. Garretson

Typed or Printed Name of Person Mailing Correspondence

AMENDMENT TRANSMITTAL LETTER (Large Entity)Applicant(s): **Mary Katherine Robinson et al.**

Docket No.

5079D1-07-LA

Serial No.

09/250,834

JUL

1 2003

Filing Date

February 16, 1999

Examiner

Arthur L. C rbin

Group Art Unit

1761

Invention:

CRUNCHY CHEWING GUM**TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	40 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	2 -	4 =	0 x	\$84.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **23-0510**
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.


SignatureDated: **July 9, 2003****Allen R. Kipnes, Esq.**
Registration No. 28,433**WATOV & KIPNES, P.C.**
P.O. Box 247
Princeton Junction, New Jersey 08550
(609) 243-0330
(609) 275-1010 - Facsimile

CC:

I certify that this document and fee is being deposited
on **July 9, 2003** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.


Signature of Person Mailing Correspondence**Jill S. Garretson**

Typed or Printed Name of Person Mailing Correspondence